

REMARKS

Claims 1-7, 9-12, and 14 are pending in this application. Claims 7, 9, and 12 are independent. Claims 5 and 6 have been withdrawn from consideration. In light of the remarks made herein, in addition to the amendments and remarks made in Applicants' Reply After Final filed December 1, 2004, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-4, 7, 9-12, and 14 under 35 U.S.C. § 112, first paragraph; and rejected claims 1-4, 7, 9-12, and 14 under 35 U.S.C. § 112, second paragraph. The Examiner further rejected claims 1-4, 7, and 9 under 35 U.S.C. § 102(b) as being anticipated by *Kanazawa et al.* (USP 5,044,454); rejected claims 1-4, 7, 9-12, and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Eda et al.* (USP 6,044,723) in view of *Hayashi et al.* (USP 4,790,202); rejected claims 1-4, 7, 9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Eda et al.* in view of *Kanazawa et al.*; rejected claims 1-4, 7, 9, 10, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Appleyard* (WO 99/11502) in view of *Hayashi et al.*; and rejected claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Appleyard* and *Hayashi et al.* and further in view of *Eda et al.* Applicants respectfully traverse these rejections.

In response to Applicants' Reply After Final, the Examiner issued an Advisory Action indicating the proposed amendments will not be entered as they raise new issues that would require further consideration and/or search. Applicants have filed concurrently with this Reply a Request for Continued Examination requesting entry and consideration of the amendments included in the Reply After Final filed December 1, 2004.

The Examiner further indicated that the proposed amendments are not deemed to place the application in better form for appeal. Specifically, the Examiner asserted that the arguments presented by the Applicants with respect to the final rejections under 35 U.S.C. § 112, first and second paragraphs, are not persuasive. Specifically, the Examiner asserts that the element "the biasing member is movably acceptable only toward the concave member" appears to be inaccurate because the biasing member is considered to be movably acceptable in a direction away from the concave member. The Examiner provides an example where the threaded fastener 33 can be removed from the housing so as to allow the biasing member to be moved in a direction away from the concave member and not only toward the concave member. Applicants respectfully disagree with the Examiner's assertions.

It appears that the Examiner is stating that where the device of the present invention is being dismantled, the threaded fastener may be removed from the housing where the biasing member would be

moved in a direction away from the concave member. Should the threaded fastener 33 be removed from the housing as indicated by the Examiner, the resultant device would not be operable for its intended purpose.

Applicants maintain that there is no teaching or suggestion in the specification that is directed to operation of the device where the fastener 33 is removed from the device. The disclosure in the specification clearly states that the screw body 33 is employed to facilitate deflecting the bearing 17 toward the concave portion 83 in order to eliminate backlash. As such, it appears that the Examiner is taking an interpretation of the invention that is contrary to the specification.

Applicants respectfully submit that the amendments to the claims are in conformity with the disclosure of the present invention and comply with the written description requirement so as to be sufficiently described in the specification in such a way to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed had possession of the claimed invention. In addition, the newly-added elements are not inaccurate and are in accordance with the disclosure of the present invention. As such, it is respectfully requested that the outstanding rejections regarding 35 U.S.C. § 112, first and second paragraphs, be withdrawn.

With regard to the Examiner's rejection under 35 U.S.C. § 102,  
Applicants request consideration of the arguments included in  
Applicants' Reply After Final filed December 1, 2004.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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